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Security Council

Forty-ninth Year

Provisional

3454th Meeting
Wednesday, 9 November 1994, 10.30 a.m.
New York

President:	Mrs. Albright	(United States of America)
Members:	Argentina	Mr. Peláez
	Brazil	Mr. Patriota
	China	Mr. Li Zhaoxing
	Czech Republic	Mr. Sporys
	Djibouti	Mr. Dorani
	France	Mr. Mérimée
	New Zealand	Mr. Keating
	Nigeria	Mr. Gambari
	Oman	Mr. Al-Sameen
	Pakistan	Mr. Marker
	Russian Federation	Mr. Fedotov
	Rwanda	Mr. Bakuramutsa
	Spain	Mr. Yañez-Barnuevo
	United Kingdom of Great Britain and Northern Ireland	Mr. Gomersall

Agenda

The situation in the Republic of Bosnia and Herzegovina

Letter dated 3 November 1994 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council (S/1994/1248)

94-87001 (E)

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The meeting resumed at 10.55 a.m. on Wednesday, 9 November 1994.

Mr. Peláez (Argentina) (*interpretation from Spanish*): On this occasion, as the Security Council once again considers the situation in Bosnia and Herzegovina in the light of General Assembly resolution 49/10, I should like to restate some of the components of my country's position on this matter.

Argentina supports — in general — all the initiatives being taken by the Organization with a view to reaffirming the sovereignty, independence and territorial integrity of the Republic of Bosnia and Herzegovina, a cause to which we are committed.

The current diplomatic situation, which is affected by the Bosnian Serbs' regrettable refusal to accept the peace plan of the Contact Group, has made it necessary to confirm the international community's resolve to promote a peaceful solution to the conflict.

Today, we are faced with a situation in which one party, the Bosnian Serbs, is continuing to pursue an ethnic and fratricidal war rather than acceding to a settlement with international guarantees that our Organization could provide. For that reason, we once again urge that party to reconsider and to act in accordance with the views of the international community as a whole and put an end to the aggression.

The extremely serious violations of human rights and international humanitarian law in Bosnia and Herzegovina have disturbed and continue to disturb international public opinion. For that reason the International Tribunal will shortly become active as a basic instrument for restoring justice.

In the present conditions of fragile security we once again appeal for respect for the cease-fire and the safe areas.

There are, however, some signs that are not negative. I have in mind, in particular, the measures adopted recently in regard to the partial closure of the border between the Republic of Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro). If that border remains closed, then those measures, we believe, will contribute, gradually, to the achievement of regional peace.

In this context, we believe that the partial lifting of the arms embargo imposed in resolution 713 (1991) on the whole of former Yugoslavia will not contribute to maintaining peace and security in the region. Further, we believe that such a step would to some degree imply the assessment that diplomatic efforts had proved futile.

In addition, the risks that an escalation of the conflict would entail would cast a shadow not only on the future of the long-suffering people of Bosnia and Herzegovina but also on the functioning of the United Nations Protection Force (UNPROFOR) in fulfilment of its mandate.

I would emphasize that in this case, as in the case of all peace-keeping operations, the principle of neutrality is one of the fundamental principles for troop contributors.

On this understanding, the States contributing troops to UNPROFOR have done and continue to do so with the clear intention of contributing to the maintenance of peace and security in the region, and with no intention of participating in the conflict in any way.

Furthermore, UNPROFOR's mandate and composition are the result of a very delicate balance, one that it seems desirable, in light of the circumstances, to maintain. Therefore, the positive effects of the peace-keeping effort must be recognized and properly evaluated; they must not be underestimated.

We agree, in general, with the judgement of the Secretary-General, who in the report in document S/1994/1067 issued in the context of the last renewal of UNPROFOR's mandate, stated that the lifting of the arms embargo would significantly change the nature of the United Nations presence in the area and create totally unacceptable risks for the Force.

The President: The next speaker is the representative of Bosnia and Herzegovina, on whom I now call.

Mr. Sacirbey (Bosnia and Herzegovina): It is, I think, truly an honour for all of us, Madam President, to have you chairing the Security Council for this month and we certainly welcome the opportunity to have the benefit of your leadership.

Let me also say again that it was a benefit for the Council to have the Permanent Representative of the

United Kingdom, Sir David Hannay, in this leadership role last month.

My statement to you today will be augmented by several comments based on instructions I received from President Izetbegovic this morning, and by some new information. Therefore, I beg your indulgence in following this presentation.

Over the last 30 months, on more than one occasion this Council has heard the convincing logic of why the application of the arms embargo is counter-productive for the peace process, why it has actually contributed to the further victimization of the civilian population and why it is inconsistent with the sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina.

I am afraid, though, that this logic is not considered important to at least some of the members of the Security Council. Their predisposition not to hear our pleas or to comprehend our reasoning is not something that we will once again attempt to confront with more pleas and more clear arguments. We will now seek to speak in terms and language that they can no longer avoid or ignore.

In the meanwhile, we will leave it up to the overall membership of the United Nations to ponder and to challenge why the right of self-defence, the targeting of civilians and the affirmation of sovereignty and territorial integrity have succumbed to a secondary priority.

I believe this is an especially appropriate question for the non-permanent members of the Security Council who have joined the Council from the rank and file of the General Assembly membership, and who, in reality, after a brief two-year term will descend from their position once again into the ranks of the general membership.

Yesterday evening, I listened intently to the debate and, in particular, to the commentary of the non-permanent members.

Maybe too idealistically, I believe these nations of the Security Council to be most inclined to represent the opinions of the general membership in view of their temporary status in the Council.

I was struck, at times, by the lofty language and surrealistic nature of the debate. I was also struck by the fact that some members of the Council, after having stayed through the statements of their fellow colleagues in the Council, with whom they exchange views on a daily basis, were not present in person to hear the statements of the general membership.

The situation in the Republic of Bosnia and Herzegovina has for too long been discussed in the abstract.

One or two members of the Council retorted yesterday, "More guns do not mean more peace."

This may be an appropriate basis or theory from which to work in the search for global disarmament, but it is not an appropriate remark to make with regard to a country that has already had the unfortunate fate of being overrun and brutalized by a more than amply armed aggressor which frankly, is not concerned with lofty principles.

But more to the point, would you have raised such a question with your own people or your own soldiers when your nation was the subject of aggression and occupation? Would you even raise this question today when weapons -- defensive weapons at least — are viewed as part of the balance of power and deterrence of aggression? No.

I think you must ask only one simple question: Has the current policy of applying the arms embargo to both the victim and the aggressor, to both the unarmed defender and the initially well armed attacker, produced the desired result, which is peace? The answer is clearly "No".

In fact, I believe most of you acknowledged in the debate yesterday that the situation seems only to be deteriorating further, that more civilians are endangered and that we are further from peace than before.

If you wish to continue to prescribe a medicine, then, at least examine its initial effect upon the patient and re-evaluate its curative benefits and see whether the effect, the relief, is only symptomatic or perhaps even counter-productive.

Continuing to prescribe the arms embargo to the Government of the Republic of Bosnia and Herzegovina is like continuing to prescribe thalidomide to pregnant mothers after having witnessed its most tragic and unfortunate side-effects on the innocent ones, the newborn babies. The original idea behind the medicine, which was to provide symptomatic relief to the nauseated mother, may have seemed like a good idea at the time,

but unfortunately the resulting side-effects are much worse than any benefits that could be derived.

We actually give serious consideration to the potential consequences for UNPROFOR and for humanitarian efforts in the Republic if the arms embargo is lifted.

The contributions of the brave and committed individuals associated with UNPROFOR and humanitarian relief have been intended to mitigate the consequences of aggression and suffering. We are truly grateful to these individuals, to the families of those that have lost their lives trying to help our citizens, and to the countries that have provided, and continue to provide, the necessary resources in support of UNPROFOR and humanitarian assistance. Unfortunately, this cannot be a substitute for the real cure.

Humanitarian assistance would be most effective as a supplement to peacemaking but it can be politically convenient, and abused, if applied as a substitute instead of a supplement.

Ambassador Keating — a man for whom I have the highest respect and who, I noticed, stayed here for the entire debate yesterday evening — was one of several representatives who spoke of the negative implications of lifting the arms embargo upon the "peacemaking " efforts of UNPROFOR. Therein, I am afraid lies the problem.

At least the current command of UNPROFOR, not to mention a few key members of the Security Council, have effectively neutered UNPROFOR to the point that it is, by no stretch of the imagination, a peacemaking force.

What is it then? The UNPROFOR Command refers to itself as a peace-keeping force and emphasizes its neutrality. I am afraid there is no peace to keep and the situation is only getting worse.

As for neutrality, UNPROFOR cannot maintain its neutrality by supporting a status quo that not only is disadvantageous but in fact means the gradual and certain demise of the Republic of Bosnia and Herzegovina and its Government.

You see, there is a harsh reality in the Republic of Bosnia and Herzegovina beyond the idealism of peace-keeping and humanitarian work. UNPROFOR is tolerated by both sides in the conflict because it serves the different interests of both.

We, the Government of the Republic of Bosnia and Herzegovina, have welcomed UNPROFOR because it is an important source of humanitarian assistance for many of our desperate citizens. It is a source that can moderate the war; it could also have been an effective peacemaking vehicle.

On the other hand, the Serbians tolerate UNPROFOR as a factor that provides them with international legitimacy; that in fact can be plundered or pruned to augment fuel and other supplies to the Serb military and profiteers. It is tolerated because it is a vehicle for preserving the status quo in the absence of peacemaking action, and in fact it is tolerated because, through UNPROFOR, the international community can be effectively intimidated and held hostage.

Today I was informed that the Serbians will in fact be given more fuel by UNPROFOR, in order ostensibly to clear the roads of snow. This is but one example of how UNPROFOR's resources are pruned to serve the interests of a war machine.

From the perspective of both the Republic of Bosnia and Herzegovina and those genuinely concerned for our country and people, the benefits of UNPROFOR are quickly becoming outweighed by the longer-term disadvantages and taxing costs that it places upon citizens desperate to get back to normality, not just to receive humanitarian assistance.

So what are we to do? What efforts are to be made in the pursuit of peacemaking?

Some members of the Contact Group, particularly certain European Union members, have advocated a position that we heard yesterday, which includes further attempts at political inducement of the Serbians, both Belgrade and the Pale Serbs.

Some could refer to this ongoing process as appeasement. I will not use that term today — I think we can all judge for ourselves.

However, that effort seems to have been stillborn and is not much more than an attempt to buy time in order yet again to offer an excuse as to why more resolute action is not necessary, including the use of the famous words "Why we have not reached the point of last resort".

I am afraid we have reached the point of last resort; the last resort is the status quo.

Unfortunately, last night, while spouting untruths and appeals to religious prejudice, Ambassador Djokić also killed any hopes that the European Union's plan could bear quick fruit, bitter or otherwise. He rejected the call for mutual recognition between the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro).

So what other avenues are open for peacemaking?

Unwilling to confront ever-increasing Serbian challenges by using all the mechanisms available to them, some elements within UNPROFOR have now established a negotiating process parallel to that of the Contact Group and the mandate given to them by the Security Council. Instead of insisting upon full compliance by the Bosnian Serbs with relevant Security Council resolutions, and instead of pressuring them to accept the Contact Group peace plan, these elements within UNPROFOR are now second-guessing and effectively eroding the mandate given to them by the Council; they are now actually formulating alternatives to the Contact Group peace plan.

We find this parallel track to be inconsistent with UNPROFOR's mandate and the Contact Group peace plan.

We of course must ask: Is it in fact the tail wagging the dog?

On several occasions we have discussed new options to try to gradually bring peace to the Republic of Bosnia and Herzegovina. One of the ideas born out of the European Union initiative was the concept of demilitarizing Sarajevo and ultimately placing it under the temporary control of the United Nations. It is an idea that was advanced on several occasions in discussions in the Council and in a draft resolution submitted to the Council.

I have before me an analysis by certain political elements within UNPROFOR that are actually giving their judgement as to why this potential effort by the Security Council should not be supported. I will read from that analysis as follows:

> "The logic can be traced through [Security Council resolutions] 824, 836 and 900 and the NATO ultimatum of 9 Feb 94. It should be noted that [Security Council resolutions] 824 and 836 were designed to support the then on going Vance Owen plan that had been signed by the [Bosnia and Herzegovina] and Croat governments but refused by the Bosnian Serb government. [Security Council resolutions] 824 and 836 define the Safe Area concept and reaffirm SARAJEVO as a safe area. The NATO ultimatum supported the lifting of the siege of SARAJEVO as a step toward placing SARAJEVO under UN administration in conformity with the plan and commended the current efforts of the UN negotiators toward securing the demilitarization of SARAJEVO. The plan referred to was the European Union Action Plan of 22 Nov 93. (Vance Owen Plan)."

Apart from the fact that this constitutes a judgement of a Security Council initiative, it is incorrect. The European Union
Action Plan is not the Vance-Owen Plan.

And here is the commentary:

> "The Vance Owen plan does not exist now. To restore old initiatives now may be counter productive as other initiatives for an overall peace plan are ongoing in GENEVA. It appears to me that this draft is an admission of failure of the GENEVA initiatives or an attempt by the BH government to further secure SARAJEVO in order to carry out the war successfully on other fronts. It is apparent that no overall peace settlement will be agreed by the BH government at this time."

Once again, demilitarizing Sarajevo and placing it under United Nations control is part of the current Contact Group peace plan.

The analysis continues:

> "It is unlikely that the Bosnia Serbs would agree to complete demilitarization of SARAJEVO including all ten opstinas. The 20 km exclusion zone includes most of SARAJEVO but not all."

It seems to me that this is the real crux because what the Bosnian Serbs do not want, UNPROFOR does not do.

I continue to read from the analysis:

> "The idea to eliminate any internal confrontational lines and to dismantle all check

points is noble but would in fact hand over territory to the BH government as the Draft implies."

Again, we are not claiming Sarajevo for "BH government"; we are claiming Sarajevo for its citizens — an open city demilitarized.

Now I quote again:

> "The DRAFT does not include Serb authorities in a city where 'UNPROFOR will be responsible for maintaining the security of the city' and 'where all the police and the internal security of the city would be placed under the joint authority of UNPROFOR and the Government of the Republic of Bosnia and Herzegovina with participation of other local authorities.'"

This seems to be the basis for UNPROFOR's having rejected, certainly reacted negatively to, at least one potential effort to bring peace to Bosnia and Herzegovina and the gradual application of the concept of demilitarization and peacemaking.

Another resolution was proposed, which was to allow UNPROFOR forces to enter Banja Luka in order to deter further human rights abuses. We may recall that back in June the Secretary-General's Special Representative was in fact asked by the Security Council, and was given permission by the Bosnian Serbs at that time, to go into Banja Luka.

On several occasions the Security Council has in fact demanded once again that the Special Representative, Mr. Akashi, be granted access to Banja Luka.

Allow me to read the comments of UNPROFOR regarding the proposed resolution to deploy UNPROFOR forces in Banja Luka. Under the heading of general comment, we read:

> "This draft is emotional and complete with rhetoric. Yet there is some truth in it. According to the UNHCR the ethnic cleansing and the movement of refugees from the BANJA LUKA and surrounding area has been extensive since 1991. This is on going with an estimated 1,696 refugees moving from Northern BH (Banja Luka area) to Croatia in May 94."

This is just one month. This is May 1994, and refugees are moving only into Croatia, not into the rest of Bosnia. I would consider this cause for alarm.

The second general comment is that in resolution 780 (1992) the Security Council expresses

> "...grave alarm at continuing reports...of mass killings and the continuance of the practice of 'ethnic cleansing'" *(fourth preambular paragraph).*

In the comments from which I have been quoting, the statement is made that "This appears to be the basis for the draft". I think that is an accurate statement.

There are comments on particular paragraphs of the Security Council draft resolution. I will not go through all of them but will read out only a few.

The first comment concerns the paragraph from the Security Council draft resolution that reaffirms that all parties are bound to comply with the Geneva Conventions. The comment reads:

> "This is motherhood and in no way accomplishes anything."

I would call that cynical.

The second comment relates to the following phrase from the draft resolution: "Strongly condemns 'ethnic cleansing' by de facto Serbian authorities in Banja Luka...". In fact, UNPROFOR's comment is: "No comment".

The third comment is on the phrase in the draft which reads: "Demands that the de facto Serbian authorities end despicable acts, which constitute a form of genocide". UNPROFOR's comment on this element of the Security Council draft resolution is:

> "emotional and non-objective; unlikely to be accepted by Security Council. The leap of logic from expulsion to mass murder is not acceptable".

I think we all know that mass murder has occurred in the Banja Luka area. There is a war crimes Tribunal in The Hague right now, which yesterday indicted the first criminals associated with mass murder in Banja Luka.

I turn now to the next point, which concerns the following phrase from the draft resolution:

> "Calls for the immediate deployment of UNPROFOR into this region to deter further attacks and human rights abuses against the non-Serb population".

The UNPROFOR comment is:

> "If all Muslims and Croats have been expelled, then there is no requirement for UNPROFOR. This appears an attempt to gain more territory for BH Government".

There are almost 50,000 non-Serbs — Muslims, Croats, gypsies — who still live in the Banja Luka area. Yes, they may all be expelled very soon. Some of them may even be murdered. But they still do live there.

The final, overall UNPROFOR comment is:

> "This is a draft that condemns the Serbs and argues that the UNPROFOR should enter the Banja Luka area under the auspices of Chapter VII, i.e., peace enforcement. This would mean that impartiality would be lost. There would not appear any reason for UNPROFOR to enter into Banja Luka as there does not appear to be atrocities occurring warranting intervention. This draft appears to be another attempt to gain more territory".

While *The New York Times* and the Office of the United Nations High Commissioner for Refugees (UNHCR) report continuing atrocities, we hear this comment from UNPROFOR — and I repeat it:

> "This would mean that impartiality would be lost. There would not appear any reason for UNPROFOR to enter into Banja Luka as there does not appear to be atrocities occurring warranting intervention."

Why is UNPROFOR in Sarajevo? Why is UNPROFOR in Mostar? It is because they are welcomed by our Government. But they are not welcomed by the criminals who occupy Banja Luka.

In the meantime, these elements within UNPROFOR have gradually allowed their real mandate to erode to the point of irrelevance. Today, as I mentioned, I have been informed by my President that Serbian aeroplanes, coming, we suspect, from the United Nations Protected Areas in Croatia, have attacked the Bihac pocket in violation of the no-fly zone.

I am informed that reconnaissance aircraft flew over Bihac yesterday and were not confronted. Not having been confronted yesterday, they decided today to carry things one step further.

Yesterday, as was mentioned in this Council, four children and a women were murdered in front of a schoolyard in Sarajevo as a result of the now-intensified shelling of the city of Sarajevo and its civilian population.

Back in July of this year, after we agreed to the Contact Group peace plan, we believed that the international community, and particularly the members of the Contact Group, would be prepared to undertake ever-more-forceful measures to compel the acceptance and implementation of peace. Unfortunately, exactly the opposite has happened. We now find ourselves in a situation where once again Sarajevo is being shelled; our young children are being murdered on our streets; and Serbian aircraft are once again flying through our skies like birds of prey.

Let me remind the Council of how this re-intensified Serbian war has come about. In July, the Government of the Republic of Bosnia and Herzegovina accepted the Contact Group peace plan. Soon after our acceptance, the Serbian forces threatened that they would respond by creating ever-increasing tension and brutalization. Then the Blue Route was closed. Then certain areas of our Republic continued to be subjected to "ethnic cleansing". Then, after this met with no resistance, shelling of the Blue Route and areas around the Blue Route started. When this did not meet with a response from the United Nations forces, the shelling of Sarajevo and the sniping at street-cars and the murder of civilians in Sarajevo once again resumed.

I am truly grateful to those forces that, between February and late summer of this year, managed to bring a sense of normalcy to Sarajevo through the imposition of the exclusion zone. Unfortunately, I must inform the Council that the people of Sarajevo believe they are worse off today than they were in February. Why? Because in February they had hope that what the Council was delivering to them would be something real, something that would bring about real peace. Now, once again, their hopes have been dashed and they understand that they are living under an illusion.

I wish to make one final point. I cannot confirm this information, but I bring it to the attention of the members of the Security Council as a cause for alarm. I have been informed by President Izetbegovic that the Bosnian Serbs intend to take action today, this evening, to demand the withdrawal of UNPROFOR from Srebrenica, Zepa and Gorazde. We hope that this is not so, because, of course, it would put all of us in a very difficult situation, and particularly the people of Srebrenica, Zepa and Gorazde. But by bringing this potential truth to the attention of the Council, I hope to ensure that it does not become a real truth.

What options does the Council believe are left to us? If we are told that we must choose between UNPROFOR and the lifting of the arms embargo — and we are actually being given that choice — then we must once again say that we will choose the lifting of the arms embargo. That seems to be the only true way to a real and lasting peace.

But I must not simply leave the issue at that point. Some believe that the choice must be to have one or the other: either UNPROFOR or the lifting of the arms embargo. But, as has been pointed out by many members of the General Assembly, including the representatives of other troop-contributing countries, the choice may not in fact be between one and the other. It may be that both options can be chosen.

We would welcome the redeployment or withdrawal of those who do in fact believe that it is a choice between one and the other, if that is truly what they believe. But in the meantime, we believe that UNPROFOR's efforts can be supplemented by measures that effectively allow the Bosnians to defend themselves: by the lifting of the arms embargo or, on the other hand, through an overall peacemaking process — in conjunction, indeed, with the Contact Group peace plan — to achieve a settlement.

We must recall for everyone that the lifting of the arms embargo is mentioned in the Contact Group peace plan as part of the overall plan. It should not be something that is considered outside of the plan, for it would then be viewed as being outside a political framework designed to achieve peace. We believe that, in order to achieve the political framework established by the Contact Group, it may be necessary to undertake greater peacemaking efforts. We would in fact welcome the international community's undertaking those greater peacemaking efforts. But if the Contact Group and the international community are not in fact prepared to undertake such efforts, then all we can do is ask the Council to redouble its efforts to secure them. We are prepared to continue to live by the Contact Group peace plan.

Some speak of the threat that once the arms embargo is lifted Serbia and Montenegro will continue to send weapons into Bosnia and Herzegovina, and will in fact intervene. I think this is a real admission of the original causes of this war: that is, aggression from a neighbouring country. If in fact Serbia and Montenegro chose to react to the lifting of the arms embargo by allowing weapons and men to flow into the Republic of Bosnia and Herzegovina, that again would be an admission of continuing aggression and would need to be responded to accordingly.

Is an attempt now being made to tell the Bosnians that they cannot defend themselves, that they cannot receive weapons, because if they do they will be the target of aggression? That is not the logic of the Security Council; that is not the logic of international peace and security; that is not the logic that we should be bound by.

Ambassador Djokic yesterday spoke of the "spill-over" of what he calls the civil war in the Republic of Bosnia and Herzegovina. In fact, there already has been a spill-over. The spill-over is from Serbia and Montenegro into the Republic of Bosnia and Herzegovina, and we must find a way to stem that spill-over. We certainly welcome the placement of border monitors on the border between Serbia and Montenegro and the Republic of Bosnia and Herzegovina. But if these border monitors are to be subject to Serbian whims, then they are not in fact serving their intended purpose.

Let me now address the issue of the potential threat to regional peace and security if the arms embargo is lifted. There already is instability; we are already on the brink of war in the entire region. In fact, if there is a failure to stem aggression, if there is a failure to address the consequences of that aggression and to allow the victim to defend itself, then I am afraid that the threat to regional peace and security will increase. There can be no greater threat to regional peace and security — to international peace and security — than the legitimization of the aggression through the sanctioning, through the creation, through the legitimization of a "Greater Serbia".

How can we talk of regional peace and security if efforts here amount to the promotion, the legitimization of ultra-nationalism and the concept of ethnically homogeneous territories and countries? These in fact are

the greatest threats to peace, not giving weapons to a victim that wants to defend itself and preserve a multicultural society.

Let me turn to the following point. Our President came to the General Assembly in late September and made an offer in the interests of peace and in the interests of cooperation with the Contact Group and with the Security Council as a whole in bringing about a settlement for the Republic of Bosnia and Herzegovina. We have already made many concessions in the past, and we thought we were making one more compromise, that is asking the Security Council today to lift the arms embargo and to defer the application of that decision for six months, to give the international community and the Contact Group a last opportunity to compel the Bosnian Serbs to accept the peace plan — in fact to give them additional leverage to pressure the Bosnian Serbs, knowing that the Bosnian Serbs would no longer enjoy an advantage in weapons.

It seems to us that this offer has either been misunderstood or, in some cases, perhaps even deliberately misinterpreted. None the less, the offer stands, and we look to the Security Council to act in a manner that welcomes the offer and that builds upon it. We certainly remain open to cooperation with you, Madam President, with the remainder of the Security Council and with the members of the Contact Group in this effort.

We believe that flexibility is a virtue. Unfortunately for the Bosnians, we have been asked to be too flexible for too long. I think it is now time for flexibility on the part of those whose actions and ideas in Bosnia have not proven to be successful.

As a last point, I believe that over 40 nations are participating in this debate. I would like to thank all of them, whether they speak in support of our cause or not, whether they share our views or not, for participating and for once again taking the time and making the effort to prepare and present their views.

The President: I thank the representative of Bosnia and Herzegovina for the kind words he addressed to me.

The next speaker is the representative of Norway. I invite him to take a place at the Council table and to make his statement.

Mr. Bjørn Lian (Norway): Allow me first of all, Madam, to congratulate you on your assumption of the presidency of the Council for the month of November, and to say that I look forward to further manifestations of your skilful leadership. Allow me also to thank Sir David Hannay, Permanent Representative of the United Kingdom, for his truly effective performance during October.

I have the honour to make this statement on behalf of the five Nordic countries: Denmark, Finland, Iceland, Sweden and Norway. I should say at the outset that the Nordic countries share the views expressed in the statement made yesterday by the representative of Germany, on behalf of the European Union. I want to say also that I listened closely and with great attention and respect to the statement made a moment ago by the representative of Bosnia and Herzegovina, whose views will be fully considered by our authorities.

This debate takes place against the background of intensified fighting in Bosnia and Herzegovina. Once again, we receive images of death, human suffering and material destruction. The Nordic countries launch an urgent appeal to the parties to cease all hostilities immediately.

The Nordic countries firmly support the process of negotiations with a view to finding a comprehensive political settlement of the crisis in former Yugoslavia. The relentless efforts and the concrete proposals worked out by the international community, including the Contact Group and the International Conference on the Former Yugoslavia, have our full support. We again urge the Bosnian Serbs to accept unconditionally the Contact Group plan.

The Nordic countries strongly believe that lifting the arms embargo would have serious consequences. It would increase the risk of a further escalation of the war and a widening of the conflict. It would jeopardize the security of the personnel of the United Nations Protection Force (UNPROFOR) and put at risk the humanitarian aid operations it has been mandated to protect. It would further victimize the recipients of this vital humanitarian aid — namely, the civilian population, including the Muslims. A decision on lifting the arms embargo must therefore remain a last resort.

We are convinced that a political settlement should be pursued until all avenues are exhausted. In this context, the five Nordic countries support the wider approach outlined by the European Union, introducing additional elements into the peace process.

The Nordic countries are among the largest contributors to the peace process, participating in humanitarian operations, where the Office of the United Nations High Commissioner for Refugees (UNHCR) plays a leading role, and in the United Nations Protection Force, as well as in other efforts.

The presence of UNPROFOR will continue to be vital for the maintenance of supply routes of humanitarian aid into Bosnia and Herzegovina, for the "safe areas" and as an overall element of stability in a volatile situation. UNPROFOR must act decisively and not fall victim to intimidation, in order to maintain respect for its mandate and its troops. The agreed close coordination of UNPROFOR and the North Atlantic Treaty Organization (NATO) is an important element in this regard.

Allow me one final remark on UNPROFOR, which is working under very difficult conditions. We want it put on record as our considered opinion that, despite limitations in manpower and other resources, and despite the constant infringements on its freedom of movement and allegations of ineffectiveness, UNPROFOR is doing a first-rate job.

The President: I thank the representative of Norway for the kind words he addressed to me.

I should like to inform the Council that I have received a letter from the representative of Thailand in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Phanit (Thailand) took the place reserved for him at the side of the Council Chamber.

The President: I should like to inform the Council that I have received a letter dated 9 November 1994 from the Permanent Representative of Pakistan to the United Nations which reads as follows:

> "On behalf of the members of the Organization of the Islamic Conference, I have the honour to request that the Security Council extend an invitation to His Excellency Mr. Ahmet Engin Ansay, Ambassador, Permanent Observer of the Organization of the Islamic Conference to the United Nations, to address the Council under rule 39 of its provisional rules of procedure in the course of the Council's consideration of the item 'The situation in the Republic of Bosnia and Herzegovina'."

The letter will be published as a document of the Security Council under the symbol S/1994/1269.

If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 to His Excellency Mr. Ansay.

There being no objection, it is so decided.

The next speaker is the representative of Jordan.

I invite him to take a place at the Council table and to make his statement.

Mr. Abu Odeh (Jordan) (*interpretation from Arabic*): At the outset, allow me to convey to you, Madam President, my delegation's congratulations on your assumption of the presidency of the Security Council for this month. I am confident that your rich experience and great skill will be reflected in the able manner in which you will conduct the work of the Council. I should also like to take this opportunity to express my appreciation to your predecessor, Sir David Hannay, the Permanent Representative of the United Kingdom, for the able manner in which he conducted the business of the Council during the month of October.

My delegation has not failed to participate in one single Security Council or the General Assembly meeting on the situation in Bosnia and Herzegovina. Nor has it failed to co-sponsor any of the various resolutions adopted in the context of the continuing international endeavours to mitigate the tragic suffering of the people of Bosnia and Herzegovina and to put an end to the Serbian aggression against their Republic. We have continued to do that because my Government, like many other Governments in the world, accords a very high priority to the human, legal and political tragedy of the Government and the people of Bosnia and Herzegovina.

It is most regrettable and, indeed, puzzling that this clearly just cause has been met with clear failure on the part of the countries that have the strongest influence in international affairs to champion the cause of that State

whose sovereignty and whose people's human rights continue to be violated, regardless of the fact that since the beginning of the aggression against it, that country has continued to appeal to the United Nations for protection. All these appeals have availed nothing, with the exception of the fragile protection afforded to some "safe areas".

In addition, this failure to protect the Government and the people of that State has been accompanied by the adamant insistence, without any legal or moral justification, to deprive that State of its right to self-defence. This has resulted, as far as all sectors of the Jordanian population are concerned, in a feeling of strong sympathy for, and stronger solidarity with, the Bosnian people as a result of the unjustifiable, flagrant disregard of and silence over the violation of the sovereignty of that small Muslim Member State and the flagrant violations of the human rights of a people that lives in a civilized European milieu that greatly prides itself on its championing of the causes of freedom and human rights, and its commitment to the system of collective security, all of which are supposed to be fundamental features of our era and the universal goals that the whole world, represented by the United Nations, aspires to achieve and entrench.

The application of Security Council resolution 713 (1991) to the Republic of Bosnia and Herzegovina, the weaker party and the victim of aggression, without any commitment to protect that party, has prevented that State from acquiring the means whereby it could exercise its right to self-defence. This contravenes Article 51 of the Charter. The insistence on applying this resolution to the Republic of Bosnia and Herzegovina, after the acceptance by its Government of the peace plan proposed by the Western Contact Group and the rejection of that plan by the aggressor Serbian party, amounts to alliance with the aggressor instead of standing up to aggression because, in actual fact, this insistence has created a major military imbalance between the already weak Muslim Bosnian party and the strong Serbian party. This imbalance has undoubtedly been one of the major factors in encouraging the Serbian party to persist in its aggression and to continue to reject the proposed peace plan. Here we must refer to the testimony of the Special Rapporteur on human rights in the former Yugoslavia, who stated in late 1992 that that military imbalance was the main factor that enabled the Serbs to carry out their policy of "ethnic cleansing".

We proceed, in participating in this debate, from our desire to reach consensus on the need either to persuade or to force all the parties involved in the ongoing conflict in Bosnia and Herzegovina to renounce the military option and to resort to a negotiated political settlement in accordance with the principles of the Charter and the rules of international law.

Regrettably, this endeavour, at the level of the Security Council, the General Assembly and the International Conference on the Former Yugoslavia has not been successful so far, and we do not believe that it will succeed in the future unless the root cause of such failure is dealt with — the root cause being the military imbalance between the aggressor and the victim of aggression.

Logic dictates that so long as the Bosnian Serb side feels it enjoys military superiority and that it can achieve its unjustifiable nationalist ambitions by military force, no serious progress will be achieved in the political negotiations on Bosnia and Herzegovina and the Bosnian Serb side will not respond to any international peace plan, even if it gets the lion's share out of that plan. Consequently, if we really want a peaceful settlement, we must act in the light of this realization and in a manner that would serve such an aim.

In order for us to do that, now that the Council has failed to discharge the responsibility mandated to it under the Charter, and had not ended the aggression against the territory and people of a State Member of the United Nations, the imbalance created by the Security Council in the equation must be redressed by lifting the arms embargo so that the Republic of Bosnia and Herzegovina may be able to acquire the means whereby it could exercise the right of self-defence.

It is inconceivable that the existing situation should be allowed to continue, after three years of suffering, with 70 per cent of that State's territory under occupation, its capital and other cities under siege, and its people savaged by the criminality of the aggressor while that aggressor continues to reject the proposed peace plan and persists in its aggression, to the extent of hindering the efforts to provide humanitarian relief to Bosnian citizens besieged in the so-called safe areas.

We are convinced that the lifting of the arms embargo that is now imposed against the people and Government of Bosnia and Herzegovina will promote the peace process in more than one way. It will contribute effectively to making it difficult for the Serbs to realize their illegal ambitions and thereby force them to opt for dialogue, negotiation and peace.

Lifting the arms embargo will also work in favour of the humanitarian relief efforts and help to mitigate the suffering of the civilian population, as it will enable the army of Bosnia's Government to shoulder its responsibilities with regard to the delivery of assistance to the civilian population. It would also strengthen the role and capability of the United Nations Protection Force by protecting it from harassment by Serbian militias and from the acts of robbery and blackmail perpetuated by those militias. The consequences of the vast military imbalance between the Bosnian army and the Serbian forces for the civilian population are tragic, and its political implications destructive.

Contrary to the suppositions of some, the action that we advocate would not widen the conflict. Rather, it will contribute to the performance of the legitimate and very desirable moral task of enabling the army of Bosnia, for the first time, to discharge the duty of protecting the civilian population and deterring the heinous policy of aggression pursued by the Serbian side. Deterrent military force is without a doubt a legitimate political means of achieving and consolidating peace.

It is in this light that we can understand the threat by the Serbian leadership to attack the international peace-keeping force if the arms embargo against Bosnia and Herzegovina is lifted. The Serbian leaders fully realize the consequences of any improvement in the Bosnian army's capability in the area of armament and, consequently, in its ability to deter aggression. They know full well that, should this happen, they will be forced to accept the proposed peace plan, which runs counter to their ambitions.

The threat by some troop-contributing countries to withdraw their contingents is nothing but surrender to the blackmail of the Serbian leaders. Such a course would amount to falling into the Serbian trap, and it would be an implicit admission that the troop-contributing countries' forces are no more than hostages in the hands of the Serbs. The Serbian threat to the peace-keeping forces validates the call for the lifting of the arms embargo against Bosnia and Herzegovina in order for its army to be able to deter aggression and thereby to compel the aggressors to renounce their intransigence and move towards dialogue and serious negotiation.

Under the terms of Article 24 of the Charter, and in the light of paragraph 2 of that Article, the failure or inability of the Security Council, which acts on behalf of the international community, to face up to the grave security, military, political and humanitarian situation that has obtained in the Republic of Bosnia and Herzegovina for more than three years makes it imperative for the Council to allow the victim, without delay, to acquire the means of self-defence. This is a humanitarian, legal and moral duty that the Council must discharge forthwith without any hesitation.

Otherwise, we shall remain in a vicious circle, and whole Chapters of the United Nations Charter will be thrown dangerously into question. I refer to the Chapters that determine the Security Council's conduct in discharging its duties in accordance with the principles and purposes of the Organization. Failing the lifting of the embargo, the international community will have a duty to act, collectively or individually, to provide the Government of Bosnia and Herzegovina with the means of self-defence, in accordance with Article 51 of the Charter.

General Assembly resolution 49/10, which was adopted on
3 November 1994, contains 44 preambular and operative paragraphs which state the position of the overwhelming majority of the international community with regard to the situation in Bosnia and Herzegovina and its various developments. The resolution, of which my country was one of the sponsors, expresses the international community's moderate will to deal with this tragic situation. My delegation appeals to the Security Council to respect that will, to act in accordance with it and, in particular, to respond to paragraph 22, of the General Assembly's resolution which pertains to the question of exempting the Government of Bosnia and Herzegovina from the arms embargo that was imposed by Security Council resolution 713 (1991), on the basis of the Bosnian Government's offer to accept the *de jure* lifting of the arms embargo with effective application deferred by the Security Council in the light of acceptance and implementation of the peace plan by the Bosnian Serbs.

The President: The next speaker is the representative of Morocco. I invite him to take a place at the Council table and to make his statement.

Mr. Snoussi (Morocco) *(interpretation from French):* First of all, Madam President, I should like to congratulate you very warmly on your assumption of the presidency of the Security Council. We are sure that under your presidency the work of the Council will be successful.

I should like to pay a special tribute to your predecessor, Sir David Hannay, for the competent and distinguished manner in which he guided the work of the Council last month.

Last week the General Assembly adopted, without any negative vote, a resolution in which it asked the Security Council

> "to give all due consideration [to exempting] the Governments of the Republic and the Federation of Bosnia and Herzegovina from the embargo on deliveries of weapons and military equipment originally imposed by the Security Council in resolution 713 (1991) of 25 September 1991". *(General Assembly resolution 49/10, para.22)*

The *de jure* lifting of the arms embargo would be effectively implemented only in six months' time, in accordance with the proposal made last September by the Bosnian President, if by then the Bosnian Serbs were continuing to reject the peace plan presented by the Contact Group.

This overwhelming support for an initiative that does honour to your country, among others, Madam President, reflects the true feelings of the international community, which has for more than two years tried to discourage attempts to infringe the sovereignty and integrity of a country that is a member of our community.

During the debate in the General Assembly on the question of lifting the arms embargo against the Bosnian Government, it became evident that the efforts of the international community had not succeeded in fully ensuring the protection of civilian populations, let alone in putting an end to the conflict that has been ravaging this brotherly country for more than two years, despite all the concessions - often very painful ones - agreed to by the Government and the people of Bosnia and Herzegovina.

After more than two years, we find ourselves back where we started. We have succeeded only in very minimally protecting a Member State from invasion and from attempts against its sovereignty. Bosnia and Herzegovina, it must be repeated, had to fight, but it had to fight with too few weapons against an enemy that had help and heavily armed forces.

We have shared the sufferings and the frustrations of the people of Bosnia and Herzegovina, but on several occasions we did in fact prevent them from defending themselves, though our intentions were assuredly good. But how can one speak of good intentions to a people that day after day is subjected to humiliation and sorrow? We had thought that by permitting this country to defend itself, we were going to encourage, as was often said, an escalation - but what an escalation!

After more than two years of this tragedy, we can now say that, unfortunately, we encouraged the established military superiority and dreams of hegemony. Is it not time for us to realize that we are in the process of putting this country at the mercy of extremists? Some Muslim States, such as mine, should today feel guilty for not having done more.

Those States had hoped that at any moment a reaction by the international community would correct these inequalities. It was not a question of helping the Bosnian people to fight a war, a war they did not want, but of allowing them to defend themselves and their dignity.

Indeed, while the United Nations Protection Force and humanitarian organizations - to which we pay particular tribute here - have given the civilian populations considerable humanitarian assistance and contributed to easing their suffering, this assistance, which is still insufficient, cannot and must not replace the search for a lasting and equitable solution, one that would put an end finally to the aggression and occupation and would restore the sovereignty of the Bosnian Government over its territory.

Given the ineffectiveness of the efforts of the international community and, admittedly, faced with the persistence of the Serbs in perpetuating their aggression and in refusing all peace proposals, it has become inevitable that we should, finally, allow the Government of Bosnia to acquire the means necessary to exercise its right to legitimate self-defence, as defined by Article 51 of the Charter of the United Nations.

We would like in this respect to reaffirm our position regarding the non-applicability of Security Council resolution 713 (1991) to the Republic of Bosnia and Herzegovina and the need to apply, effectively, various measures aimed at preventing the flow of military equipment to the Bosnian Serbs.

Maintaining the arms embargo unjustly imposed on the Government of the Republic of Bosnia and Herzegovina while reinforcing the military superiority of

the Serbs has, in fact, encouraged the latter to continue the conflict, to extend their areas of occupation and to pursue their horrible policy of "ethnic cleansing", especially in the areas that are still occupied.

This Serb military superiority is certainly not such as to ensure a credible outcome of the peace process, one that would allow, *inter alia*, for the mutual recognition of all the States in the region within their international borders, the effective protection of refugees within the safe areas and the strict application of sanctions against Serbia and Montenegro.

Faced with this huge obstacle to the peace process, the offer of the President of Bosnia and Herzegovina, made before the General Assembly in September 1994 - to decide to lift the embargo but not to apply this decision until six months afterwards, in order to give the Bosnian Serbs time to reconsider their position regarding the peace plan - reflects once again the spirit of compromise and the sincere will of the Government of Bosnia to seek a peaceful, just and lasting solution to this conflict, which has gone on for far too long.

The Kingdom of Morocco, of course, supports this proposal because it is convinced that this measure, which would supplement the other measures adopted by the Security Council, would merely do justice to Bosnia and Herzegovina, a full-fledged Member of our Organization and a victim of aggression deprived of its legitimate right to self-defence.

This *de jure* lifting of the embargo, by putting an end to the military superiority of the Bosnian Serbs, could turn out to be a very effective means of dissuasion that would lead the Bosnian Serbs to accept the Contact Group's peace plan.

We are also convinced that the international community should no longer allow the Serbs to continue with impunity to trample the fundamental principles of humanitarian law and the provisions of the Security Council resolutions.

After these years of unpardonable atrocities, the Council's responsibility is still just as great, as is ours. Today we learned, as we did yesterday, from the representative of the former Yugoslavia that the provisions we wish to implement will surely be flouted.

In any case, we must show greater firmness and determination against the Bosnian Serbs if we wish to preserve the credibility of the United Nations, ensure respect for the rule of law and dissuade the aggressors from their intransigence and their continued rejection of all peace proposals made thus far to end the conflict.

The President: I thank the representative of Morocco for the kind words he addressed to me.

The next speaker is the representative of Egypt. I invite him to take a place at the Council table and to make his statement.

Mr. Elaraby (Egypt) (*interpretation from Arabic*): Allow me first of all, Madam President, to convey to you once again our warm congratulations on your assumption of the presidency of the Security Council. There is no doubt that your wisdom and your well-known leadership skills will yield positive and tangible results.

The delegation of Egypt will not go into further detail to illustrate the situation in Bosnia and Herzegovina. We all have heard the clear and comprehensive statement of the Ambassador of Bosnia and Herzegovina which eloquently described a situation, that is quite clear to all. The justice of the cause concerned is undeniable and uncontestable.

The Egyptian delegation, therefore, will confine itself to making certain points and to recalling that, on a number of occasions, it has already drawn the Security Council's attention in the course of the general debate on Bosnia and Herzegovina to the fact that unless the Council acts promptly and takes firm and immediate measures to address the root causes of the problem, the policy of half-measures and contradictions will undermine the Council's credibility and raise major questions concerning the international order in its entirety.

At the same time, it should be noted that the Security Council adopts numerous resolutions under Chapter VII which are mandatory and must be implemented even by force.

So when one of the parties — and I refer here to the Serbs — flouts those resolutions and the Council chooses to let that pass in silence as if nothing has happened, would that be correct? Would the Council accept to stand by and watch the flouting of other resolutions it has adopted under that same Chapter VII of the Charter in other regions of the world as is the case with its resolutions on Bosnia and Herzegovina? Does the Council really apply double standards as some accuse it?

The Security Council itself set up the regime of safe areas in Bosnia and Herzegovina. It is therefore incumbent upon it, as a historic responsibility which it cannot abdicate, to provide for genuine protection of those areas. The Council must now enable the Government of the Republic of Bosnia and Herzegovina to exercise its natural and inherent right to self-defence.

It should be recalled here that Article 51 of the Charter expressly stipulates that:

> "Nothing in the [present] Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations."

The stipulation in this text fully confirms beyond doubt that the Charter takes the view that the right to self-defence is sacred, and inalienable. Similarly it is known that all States Members of the United Nations are constitutionally bound under Article 103 of the Charter to give precedence to the provisions of the Charter over any other international obligations. Whether such obligations arise from bilateral agreements or from Security Council resolutions, it is the States Members' obligations under the Charter that shall prevail.

The General Assembly adopted resolution 49/10 a few days ago. One of its provisions encourages the Security Council to exempt the Government of the Republic and Federation of Bosnia and Herzegovina from the embargo imposed by the Security Council in resolution 713 (1991). Exempting the Republic and the Federation of Bosnia and Herzegovina from the arms embargo would serve the cause of a negotiated settlement because if Bosnia and Herzegovina is enabled properly to defend itself, the aggressor will have to return to the negotiating table. Lifting the embargo will contribute to acceptance by the aggressor of the international peaceful settlement Plan, whereas the continuance of the status quo will result only in persistence by the strong and already intransigent party in flouting international legality.

Should the Council fail to break the deadlock by choosing not to adopt the anticipated resolution, the States concerned will have the right to invoke Article 51 of the Charter, and, under Article 103, individually or collectively, provide Bosnia and Herzegovina with the means of self-defence. The international community cannot stand by as an impassive spectator, given the gravity of the current situation.

Egypt participates in the United Nations Protection Force (UNPROFOR) with fully equipped military contingents. The Egyptian Government has also proposed strengthening its current contribution to UNPROFOR with additional contingents. In this respect, we wish to stress several points about UNPROFOR.

First: Egypt affirms its understanding of UNPROFOR's responsibilities within the context eloquently expounded this morning by the representative of Bosnia and Herzegovina.

Second: the UNPROFOR was created by a Security Council resolution as an international protection force. As a result, that Force should be mandated to provide genuine protection to the territories it supervises and to the people of those territories. No distinction here can be made between territory and population. That has never been seen in any Security Council resolution.

Third: UNPROFOR's role as an international peace-keeping force should be that of supporting the Government of the Republic and the Federation of Bosnia and Herzegovina because that Force operates within that Republic's territory. The Force must offer all possible assistance to the Government of Bosnia and Herzegovina in order to enable that Government to exercise its full competence in the area where the Force is deployed. It is ultimately the Government alone that is entitled to exercise its inherent right to sovereignty. It is not acceptable that international forces should obstruct the performance by governmental bodies of their tasks.

Fourth: the Security Council has adopted a number of resolutions which mandated clear-cut tasks to UNPROFOR, including the protection of the "safe areas" designated by the Council. Those areas have also been demilitarized in accordance with Security Council resolutions. So, from a political, legal, and indeed moral, standpoint these Forces must continue to perform those tasks until such time as the Government of Bosnia and Herzegovina is in a position to exercise its effective authority over all those areas.

Fifth: the threat to withdraw UNPROFOR at the present juncture would create a power vacuum in view of the demilitarization of the areas where UNPROFOR is deployed. Most of those areas lie within the territories of Bosnia and Herzegovina.

Such a vacuum will certainly encourage the Serb party to hasten to acquire those territories by force since it has the military ability to do so.

What more does the Security Council expect from the Government and people of Bosnia and Herzegovina after all the sacrifices they have made and the sufferings, they have endured? Does the Council want to wait until this Member State of the United Nations disappears from the face of the earth under the onslaught of Serb aggressors? Or does the Council perhaps want to sit quietly and wait for the situation to resolve itself sooner or later and thus absolve it from the responsibility of finding a solution? The Council must not in any way make it possible to create a precedent of grave defiance to international legality as that would undermine the international order in its entirety. History would never forgive us for that.

Therefore, Egypt once again appeals to the Security Council to shoulder its responsibilities clearly and firmly. There have been palliatives and partial solutions and the Security Council has turned a blind eye to Serb intransigence and defiance for far too long over the past three years.

The President: I thank the representative of Egypt for his kind words addressed to me.

The next speaker is the representative of Ecuador. I invite him to take a place at the Council table and to make his statement.

Mr. Valencia Rodriguez (Ecuador) *(interpretation from Spanish)*: Madam President, allow me first to congratulate you on your assumption of the presidency of the Council for this month, and also to express my gratitude for this opportunity to address the Security Council under your skilful leadership.

The people and the Government of Ecuador have followed the development of the conflict in Bosnia and Herzegovina with growing disquiet and concern. The massive violations of human rights, and in particular the aberrant practice of "ethnic cleansing", have been rejected by our public opinion. We are a multi-ethnic and multicultural society that firmly upholds the ability of human beings to live together in peace, enriched by the cultural and religious diversity of the various populations that live together in the territory of a single State.

The action taken by the delegation of Ecuador in response to this conflict, both in the General Assembly and in the Security Council, in whose work we participated in 1991 and 1992, has been guided by our unswerving defence of the principles of respect for the territorial integrity of States, the promotion of machinery for the peaceful settlement of disputes and the rejection of the acquisition of territory by force. This approach has led my delegation to support a number of resolutions on this issue in both organs, including General Assembly resolution 49/10 of 3 November.

My Government has observed with rekindled hope developments in the negotiations in the peace process, and particularly the acceptance by all the Governments of States parties to the conflict of the peace proposals presented by the Contact Group. Only a non-governmental party, the Bosnian Serb paramilitary forces, persists in its refusal to accept those proposals. We believe that the firm action of the international community, and in particular the positive steps taken by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) — including the border closing that has cut off supplies to those irregular forces — will make it possible to surmount this last obstacle.

We understand the impatience of the people of Bosnia and Herzegovina, faced with prolonged suffering, and its call for more resolute international action on its behalf. At the same time, Ecuador believes that, now that there is some hint of an improvement in the situation, it would not be wise to take measures that might imperil the significant progress being made in the peace process. For this reason, in explaining its vote on General Assembly resolution 49/10, my delegation expressed its doubts about the desirability of lifting the arms embargo imposed on all the parties to the conflict. Such a decision might, we fear, lead to the widespread use of force being perceived as the ultimate arbiter in the settlement of the conflict. It could also impede the humanitarian activities undertaken in the area by the United Nations and non-governmental organizations, which would exacerbate the already tragic suffering of the civilian population.

Ecuador calls on the Security Council once again to persevere in the pursuit of the peaceful settlement of disputes and to remain steadfast in its quest for peace in that tortured region.

The President: I thank the representative of Ecuador for his kind words addressed to me.

The next speaker is the representative of Cambodia. I invite him to take a place at the Council table and to make his statement.

Prince Sisowath Sirirath (Cambodia): First of all, may I congratulate you, Madam, on the manner in which you have been presiding over the work of the Council this month.

My delegation is indeed privileged to be addressing the Council for the first time since Cambodia regained its truly democratically elected Government last year, under United Nations organization and supervision. This happy outcome resulted from the Council's continued support for the suffering Cambodian people over many years. Thanks to all the members of the Council, and in particular to the permanent members, Cambodia is today enjoying its long-lost freedom, a market economy, freedom of the press and the protection of human rights.

Today my delegation is pleased to see the Council once again taking up a topic of the utmost importance: the situation in Bosnia and Herzegovina. My delegation hopes that the meeting will finally lead to concrete measures that will change the course of the war. My delegation is therefore pleased to participate for the first time in the debate on this issue, and hopes to share with the Council the experiences of the horror of over two decades of war, the Pol Pot/Khmer Rouge genocidal regime and foreign occupation. With this in mind, my delegation was pleased to vote in favour last week of General Assembly resolution 49/10, on the situation in Bosnia and Herzegovina.

My delegation listened with great attention to the statement that has just been made by the representative of Bosnia and Herzegovina, and fully joins in his heartbreaking plea for the lifting of the arms embargo imposed on his country. Taking into account its image as one of the founders of the Non-Aligned Movement and its close, longstanding relationship with the former Yugoslavia, Cambodia refrained in the past from debating this issue because of its sensitivity, and felt that more time was needed to pave the way for an approach to a peaceful settlement. But, as time passed, as negative results continued to be seen and the offer of a lasting political solution was constantly rejected by the stronger Bosnian Serb party, it became obvious that the war in Bosnia and Herzegovina was a one-sided war of aggression perpetrated by the Bosnian Serb army against the weaker Croats and Bosnian Muslim peoples.

Cambodia sincerely empathizes with the profound suffering which the people of Bosnia and Herzegovina have experienced ever since the outbreak of war and the adoption by the Bosnian Serb army of the policy of "ethnic cleansing". With the death of the charismatic leader Josip Broz Tito and the disintegration of the former Yugoslavia, new factional leaders, unwilling to compromise, emerged as feared warlords and tyrants, refusing to see the changes that were taking place all around them in Europe and elsewhere.

This senseless, bloody conflict has been going on much too long. It continues to ravage innocent lives on all sides, because people have not accepted the fundamental truth of their common humanity — that life is the most precious gift of all. The number of victims, refugees and displaced persons in Bosnia and Herzegovina continues to rise each day. Their lives are being wasted needlessly, and this is going on without end. Living an undignified existence and in the constant fear of being killed, they have been reduced to a level unworthy of human beings. This is the saddest and most tragic story of all. It represents a challenge to all of us.

The Bosnian Serbs in their aggression have not hesitated to attack towns and zones that are protected by the United Nations peace-keeping forces. This situation strongly reminds me of a similar problem that arose in my country two years ago, when the Khmer Rouge, having agreed to come to the peace table in Paris with the rest of the Cambodian factions and the international community, in 1991, refused to allow the United Nations to demobilize its troops and supervise its zones of control, as agreed in the Paris Peace Accord. Instead, it captured and threatened to kill members of the Blue Helmet forces. This same action is being repeated today. The Bosnian Serbs are applying the same tactics as the Khmer Rouge is applying in my country. The precedent has now been set.

This grave situation has consumed much of the United Nations limited financial and manpower resources. While other countries, my own among them, enjoy the fruits of the reconstruction and development activities being carried out in various fields by donor countries through the United Nations Development Programme (UNDP), Bosnia and Herzegovina has been reduced to practically nothing.

Cambodia has always striven for peace and believed that all avenues leading to talks and negotiations must be explored. It has become clear to my delegation that the

road to a negotiated settlement may be impossible to find. The Council should perhaps seriously consider lifting the arms embargo against Bosnia and Herzegovina, as proposed by the President of the Republic of Bosnia and Herzegovina in his address to the General Assembly last September. It is clear to the whole world that the stubbornness of the Bosnian Serbs is equal to that of the Khmer Rouge. Cambodia feels that the time is ripe for, and is strongly in favour of, lifting the arms embargo against Bosnia and Herzegovina.

My delegation recalls the frustration experienced by many nations involved in the peace-keeping operations in Cambodia, when most of them favoured military action against the Khmer Rouge for its refusal to participate and to cooperate with the United Nations. A similar frustration is now being felt by those who wish to see a lifting of the arms embargo against Bosnia and Herzegovina. Cambodia is also frustrated by the fact that its requests to friendly countries for arms to combat the Khmer Rouge have not been answered, while the massacre of innocent civilians has continued, including the recent killing of young Australian, British and French citizens. Cambodia's situation is perhaps not as alarming as that of Bosnia and Herzegovina, but the similarity should be carefully considered and studied by the Council.

A small faction like that of the Bosnian Serbs cannot be allowed to continue to hold the international community hostage by rejecting every effort and every proposal for peace, as the Khmer Rouge are doing in my country. How much longer can we allow this to go on, how much longer are we willing to wait? My delegation hopes that the situation will not deteriorate to the point of anarchy, the point at which all hell breaks loose, as happened in Cambodia in 1975 and as happened recently in Rwanda, when the situation became hopeless. The Council has the power to give peace a chance, but peace cannot be achieved without stronger military pressure on the Bosnian Serbs. We have seen such situations before in every theatre of war throughout the world's history; no peace can be achieved when one side is weaker than the other and continues to offer to talk while the other side is stronger and continues to wage war.

The international community continues to view this as a highly important issue, and Cambodia will continue to pray for a negotiated settlement and to hope that national reconciliation can be achieved soon among all the people of Bosnia and Herzegovina. We call upon all the rival factions to stop the fighting and to cooperate with the United Nations. My delegation commends the tireless efforts being made by the United Nations Protection Force (UNPROFOR) and its outstanding performance. Like the lives of the Bosnian people, the lives of UNPROFOR personnel are in constant danger. They are dedicated to their duty to uphold peace and security for the people of Bosnia and Herzegovina. Cambodia, of course, is well acquainted with the Secretary-General's Special Representative in the former Yugoslavia, Mr. Yasushi Akashi, and we are full of admiration for him and confident that his efforts to restore peace and security to the people of Bosnia and Herzegovina will succeed, as they did, with the Council's help, in my own country.

Whatever decision the Council takes today on this terrible situation, my delegation hopes that it will be on the right path towards a lasting peace. If not — and it may be ironic and unprofessional of me to say this — then the unfortunate people of Bosnia and Herzegovina will have to wait a little longer, until their death toll reaches that of Cambodia under Pol Pot, or perhaps equals that of Rwanda. Only then, perhaps, can peace be found for Bosnia and Herzegovina.

The President: I thank the representative of Cambodia for his kind words addressed to me.

The next speaker is the representative of Nicaragua. I invite him to take a place at the Council table and to make his statement.

Mr. Vilchez Asher (Nicaragua) (*interpretation from Spanish*): I should like to join preceding speakers in congratulating you, Madam President, on your assumption of the presidency of the Security Council for this month. Your diplomatic skills and experience, with which we are all familiar, will surely bring success to the Council's present endeavours.

Nicaragua asked to speak during the consideration of the item now before the Council because it feels it has a duty to contribute to the strengthening of international peace and security, just as it had a duty to support the General Assembly's adoption of draft resolution A/49/L.14/Rev.1, "The situation in Bosnia and Herzegovina", which became General Assembly resolution 49/10.

Nicaragua, a country with a deep respect for human rights and a country undergoing an intensive process of national reconciliation, encouraged by our President, Violeta Barrios de Chamorro, after a decade of fratricidal

war, feels solidarity with the present terrible suffering of the people of Bosnia and Herzegovina. My Government has on many occasions appealed for peace and a negotiated settlement to the conflict in the former Yugoslavia and expressed its strong condemnation of the atrocities committed in Bosnia, which constitute not only a threat to international peace and security, but a flagrant violation of the elementary norms of peaceful coexistence and fundamental human rights.

The international community has made many appeals and exerted great efforts to end the continuing aggression against the Republic of Bosnia and Herzegovina, which has caused tens of thousands of deaths and the displacement of entire populations, with well-known consequences not only for that country, but for the region as a whole. The massive violations of human rights and the war of territorial expansion cannot continue, nor can the systematic destruction of this new State, which is a Member of the United Nations and committed to the building of a new international order, as was demonstrated by its participation in the second International Conference for New and Restored Democracies, held recently in Managua, Nicaragua.

Our delegation believes that General Assembly resolution 49/10 contains the elements necessary to promote a political, negotiated settlement of the conflict in Bosnia and Herzegovina. We also consider that the measures it contains are intended not to widen the scope of the war but, rather, to enable the people of Bosnia and Herzegovina to defend themselves with dignity against the agony that has been inflicted on them for several years. In this connection it is important to mention that the Special Rapporteur on the human rights situation in the former Yugoslavia has stated that the arms imbalance between the parties to the conflict is the major factor contributing to "ethnic cleansing".

The Council's consideration of this item is taking place at a critical moment for the Republic of Bosnia and Herzegovina, which, lacking an adequate military force to defend itself, faces the tragic fact of being a nation on the brink of extermination. This is a historic opportunity for the Council, in keeping with its mandate, to help end this injustice and to protect one of the inalienable human rights, in this case the right to life, not just of an individual, but of an entire people.

Our country for reasons of principle supports the peaceful settlement of disputes between States and has reaffirmed the need to continue an exhaustive exploration of creative formulas for a lasting solution to the conflict in the former Yugoslavia. However, we are aware of the fact that these efforts have not been fruitful so far, despite the many initiatives that have been considered, and that the obvious realities of the conflict — in particular the hundreds of innocent victims every day, the suffering of women, children and the elderly and the importance of providing emergency humanitarian assistance — make it essential for the Council to consider the possibility of lifting the arms embargo inherited by the Government of Bosnia and Herzegovina from the break-up of the former Yugoslavia. This would, at the same time, help to assist, strengthen and balance the peace process and the efforts of the Contact Group, and protect a defenceless Republic, its territorial integrity and its political independence.

Nicaragua shares the view that the continued brutal atrocities directed against Bosnia and Herzegovina and the still inexplicable lack of effectiveness of the efforts undertaken appropriately to respond to this savagery make it vital for the Security Council to allow the Republic of Bosnia and Herzegovina to exercise the right to which it is justly entitled, that is, the inalienable right to self-defence in keeping with Article 51 of the Charter.

We appeal to the international community and the Security Council to take all the necessary steps to bring about the prosecution of the war criminals who have inflicted such pain and suffering on Bosnia. The international community should provide financial assistance to support the effective operation of the International Tribunal created for this purpose.

On the eve of the fiftieth anniversary of the Organization created with the aim of saving mankind from the scourge of war, and on the threshold of the twenty-first century, the United Nations cannot permit the continued recurrence of atrocities the likes of which we have not seen since the end of the Second World War.

The President: I thank the representative of Nicaragua for the kind words addressed to me.

The next speaker is the representative of Albania. I invite him to take a place at the Council table to make his statement.

Mr. Kulla (Albania) (*interpretation from French*): Madam President, allow me first of all to congratulate you on your assumption of the presidency of the Security Council for this month and also for your remarkable

skills in guiding its work. I would also like to pay tribute to your predecessor, Sir David Hannay, for the competent manner in which he handled the Council's work in the month of October.

My delegation has already, on several occasions, expressed its views on the situation in Bosnia and Herzegovina. My country was one of the sponsors of the draft resolution on this question which was recently adopted by the General Assembly. I would, however, like to emphasize at the outset that we commend the United States for its initiative to introduce a draft resolution before the Council and we urge the Council to consider it carefully.

It has always been clear that aggression waged by the Serbs in Bosnia and Herzegovina was based on an obvious imbalance of strength. We are all witnesses to the fact that the continuation of the arms embargo against the Federation of Bosnia and Herzegovina has unjustly punished the Bosniacs, particularly at a time when everyone knew that the Serbs had never wanted full support from Belgrade. Despite the intensive humanitarian involvement of the international community, this has practically prevented the Bosniac people from exercising their legitimate right to self-defence and has considerably influenced the course of the war.

There is only one party in the conflict that has consistently refused any initiative aimed at a peaceful solution of the crisis, the Serbs. They should be punished and brought, by any means the international community has the right to use, to respect the decisions of the Security Council.

We are both moved and concerned by what has just been said by the Permanent Representative of Bosnia and Herzegovina. We hope that his wishes and his arguments will be given due consideration by the Council.

We know that there can be no fair and readily acceptable agreement between parties that are not on the same footing. If the arms embargo is not lifted, then the Serbs will obviously continue to challenge the international community's will for peace. Furthermore, an accumulation of the consequences of aggression and of "ethnic cleansing" will seriously increase the danger of the conflict spilling over to other hot spots. Therefore, it is necessary to lift the arms embargo against the Bosniacs; and this will clearly indicate to the Serbs that the time has come unconditionally to accept peace, and to look for a better future not only for themselves but also for all the peoples living there.

The President: I thank the representative of Albania for his kind words addressed to me.

The next speaker is the representative of Indonesia. I invite him to take a place at the Council table to make his statement.

Mr. Wisnumurti (Indonesia): Madam President, I should like, at the outset, to extend my delegation's congratulations on your assumption of the presidency of the Council for this month. We remain fully confident that during your tenure, our deliberations on the issues now under consideration will lead to the introduction of effective measures. May I also take this opportunity to express our appreciation to your predecessor, Sir David Hannay of the United Kingdom, for his able guidance of the Council last month.

For almost three years the Security Council has been seized of the conflict in Bosnia and Herzegovina, which is posing a continuing threat to international peace and security. The death and destruction it has brought and the suffering and the atrocities it has inflicted are of such magnitude that they have galvanized the attention of the world. These horrible scenes have been repeated in all their intensity, particularly in the past year, and have had ramifications for the future not only of Bosnia but also of the Balkan region as a whole. We are gravely concerned that a continuation of this unequal war may lead to a new situation as Bosnia and Herzegovina faces the dangerous prospect of a forcible dismantling of its multi-ethnic, multicultural and multireligious society, the brutal decimation of its people and the diminution of its independence and sovereignty.

The continued refusal to allow the Government of Bosnia and Herzegovina to defend itself and to protect its people from slaughter can only be seen as a denial of the right to individual or collective self-defence as enshrined in the Charter. It has been self-evident that aggression has been sustained due to the stark military imbalance in armaments that has assured a huge advantage for the Bosnian Serbs in terms of weapons. Consequently, it has led to the unleashing of a reign of terror, massive violence and the brutal violation of human rights and international humanitarian law, causing untold human suffering. The inexorable process of "ethnic cleansing" and mass expulsions has been intensified. None the less, the pleas of the people of Bosnia for effective international intervention, or at least the lifting of the arms embargo, have gone unheeded. The consequences of a continued arms embargo on both the aggressors and

their victims will ensure that atrocities and the killing of defenceless civilians will continue unabated. In fact, preventing the victims of aggression from defending themselves has already led to the slaughter of hundreds of thousands of innocent men, women and children and the maiming and torturing of countless others. In the face of such unspeakable horrors, the Bosnians have no choice but to defend themselves.

My delegation and an overwhelming majority of Member States have been calling for the past two years for the lifting of the embargo unjustly imposed on the Republic of Bosnia and Herzegovina. In this connection I wish to recall that Indonesia was a sponsor of the draft resolution on this matter recently adopted by the General Assembly. The lifting of the arms embargo has become imperative in the present circumstances, in which Bosnia and Herzegovina has to fight aggressors who have no intention of seeking a just and durable settlement. It is therefore incumbent upon the Council to pronounce itself unequivocally on the non-applicability of Security Council resolution 713 (1991) to the Republic of Bosnia and Herzegovina. We would regard it as a grave injustice if the ill-conceived arms embargo were not lifted.

We are not convinced by the arguments advanced by some States for the maintenance and enforcement of the ban on armaments. Lifting the embargo, it has been contended, would only widen and deepen the war and jeopardize the role of the United Nations Protection Force (UNPROFOR); the influx of arms would inevitably lead to more casualties; it would even intensify hostilities, with all their consequences; it would not contribute to a durable peace and would be counter-productive; and all this would undermine the negotiating process, which still represents our best hope.

Despite those self-serving arguments, it cannot be denied that the embargo imposed in 1991 on the former Yugoslavia froze the advantage in weapons in favour of the Bosnian Serbs, who used it effectively to rout the nascent Bosnian army and seize large chunks of Bosnian territory. Condemnations, warnings, sanctions and international isolation have not deterred them from their murderous campaign and wilful violation of their commitments. Not being compelled to negotiate, the aggressors have unashamedly continued to use their superiority in weapons to achieve their political and military goals of uniting in a "Greater Serbia". Their intransigence and their rejection of the latest peace plan has rendered the lifting of the arms embargo unavoidable. It has also put the peaceful settlement of the conflict in jeopardy.

The peace plan launched by the five-nation Contact Group offered both incentives and disincentives to the parties directly concerned. While the former were reflected in the prospects for an immediate end to the hostilities, the latter consisted of warnings of punitive measures if the peace plan were rejected. It is very regrettable that although the Bosnian Serbs have spurned the peace proposals they have largely escaped retribution. The Bosnian Government, on the other hand, which has accepted the peace plan despite its serious shortcomings, continues to be denied the means to defend itself.

When the world community has failed to take effective measures to terminate aggression, it is neither legal nor morally tenable to use the blanket enforcement of the ban on the delivery of arms to prevent Bosnia and Herzegovina from defending itself. It should not be denied its inherent right to defend itself in accordance with Article 51 of the Charter. If the Government of Bosnia and Herzegovina has the necessary means to repel aggression, that will compel the Bosnian Serbs to reassess their options and realize the futility of imposing their will through force. It will bring about a comprehensive and a durable cessation of hostilities, ensure compliance with the principles of the Charter as well as the decisions of the Council, and thereby create conditions conducive to a political settlement on the basis of the peace plan proposed by the Contact Group. In view of this, the lifting of the arms embargo is the only viable option open to the international community.

In conclusion, those who are responsible for the tragedy that has befallen the people of Bosnia and Herzegovina cannot be allowed to continue their deeds with impunity. Hence, a settlement of this conflict can brook no further delay. We cannot allow the Bosnian Serbs to dictate their own terms for a political settlement and thereby undermine the latest peace plan. We believe that it provides a viable basis for a peaceful solution to the conflict. I wish to emphasize that, in order to ensure its acceptance by the Bosnian Serbs, it is imperative for the members of the Security Council to support any initiatives to lift the arms embargo. Meanwhile, such action should be complemented by sustained diplomatic efforts to achieve that acceptance.

The President: I thank the representative of Indonesia for the kind words he addressed to me.

The next speaker is the representative of Honduras. I invite him to take a place at the Council table and to make his statement.

Mr. Martínez Blanco (Honduras) *(interpretation from Spanish)*: First of all, allow me to congratulate you, Madam President, on your assumption of the presidency of the Security Council for the month of November. I should also like to express my appreciation to the representative of the United Kingdom, Sir David Hannay, for the way in which he conducted the affairs of the Council in October.

As a peace-loving State that upholds the rule of law, Honduras has requested to speak at this meeting of the Security Council in order to state its views on the situation in Bosnia and Herzegovina — a sovereign and independent Member State of the United Nations which is beset by continued aggression, despite all the resolutions on the subject adopted by the Council with a view to resolving the situation; despite the intense efforts of the United Protection Force (UNPROFOR), to which my country pays tribute for its lofty spirit of sacrifice, the Office of the United Nations High Commissioner for Refugees (UNHCR) and other associated agencies; and despite the efforts of the Conference on Security and Cooperation in Europe (CSCE) and the Contact Group on the implementation of the Washington Agreements on the Federation of Bosnia and Herzegovina. None of these efforts has yet borne fruit.

On 3 November 1994 the General Assembly adopted resolution 49/10, in which the Assembly reaffirms the relevant principles of the Charter and the inadmissibility of the acquisition of territory through the use of force, condemns the Bosnian Serb party for its refusal to accept the proposed territorial arrangement, demands that it lift the siege of Sarajevo and other "safe areas" as well as other besieged Bosnian towns, and condemns the Bosnian Serbs for their military activities against the territory of Croatia and their actions in pursuit of 'ethnic cleansing", which has been completely repudiated by the international community.

Honduras supported that resolution not only because the continued armed hostilities pose a threat to international peace and security but also because of all the flagrant violations of human rights and breaches of international humanitarian law that have been committed against the people of Bosnia and Herzegovina. We wish to recall in this connection the following comments made by the President of the Republic of Honduras, Mr. Carlos Roberto Reina, when he addressed the General Assembly at the present session:

> "... with a sadness that I cannot conceal, I must say that events in Bosnia and Herzegovina ... cause us considerable distress and anguish. These fratricidal conflicts should impel us to act urgently to eliminate armed aggression, genocide and the practice of 'ethnic cleansing' once and for all. We cannot continue to waver in implementing Security Council resolutions. Although this Organization has never played as big a leadership role as it is now playing, it is also true that compliance with its resolutions in the framework of operations to maintain international peace and security has been called into question.
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> "My Government deeply regrets the resulting tragic events that have claimed hundreds of thousands of lives and caused a massive exodus of refugees. We therefore urge parties in conflict to act in a spirit of reconciliation, certain that the international community will continue to extend humanitarian assistance to them." *(Official Records of the General Assembly, Forty-ninth Session, Plenary Meetings, 6th meeting, p. 4)*

My country once again calls on the parties to comply fully with all the resolutions adopted in this forum in connection with Bosnia and Herzegovina, to respect the sovereignty, independence and territorial integrity of that State and the fundamental rights and freedoms of its people, and to bring to trial those responsible for violations of international humanitarian law.

With respect to the embargo on arms and military equipment, my delegation takes the view that the possibility of an influx of arms into the region would not in any way promote the cause of peace in Bosnia and Herzegovina. For this reason, we advocate that the diplomatic efforts already under way to find a peaceful settlement to the conflict be intensified.

The President: I thank the representative of Honduras for the kind words he addressed to me.

In view of the lateness of the hour I intend, with the concurrence of the members of the Council, to suspend the meeting until 3.30 this afternoon.

The meeting was suspended at 1 p.m.